



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~Applicant~~ : Lu-Yieng Liu et al Art Unit : 1634  
Serial No. : 10/025,137 Examiner : Jehanne E. Souaya  
Filed : December 19, 2001  
Title : METHOD FOR DETECTING ESCHERICHIA COLI

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Katica Magovcevic, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 3/19/2004

Katica Magovcevic

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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
June 29, 2004  
Date of Deposit  
Deborah R. West  
Signature  
Deborah R. West  
Typed or Printed Name of Person Signing Certificate



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**VERIFIED STATEMENT UNDER 37 CFR 1.825**

I, Y. Rocky Tsao, hereby declare that

1. In an Office Action dated April 1, 2004, the Examiner objected to the sequence listing filed on April 9, 2002 for introducing new matter. The sequence listing includes, among others, SEQ ID NO: 1 (CGCAAGCTAAAAAGTAG) and SEQ ID NO: 2 (TTAGGTGTATTGATTGTG), both of which were derived from 81889-83238 of the E. coli genome (GenBank Accession No. AP002562) listed below:

81889 atgacgacgca taaaatatct ggtggcagcc gccacactaa gcctgtttt ggcgggttgc  
81949 tcggggtaa aggaagaagt acctgataat ccgcggaaatg aaatttacgc gactgcacaa  
82009 caaaagctgc aggacggtaa ctggagacag gcaataacgc aactggaagc gttagataat  
82069 cgctatccgt ttggtccgtt ttcgcagcag gtgcagctgg atctcatcta cgccctactat  
82129 aaaaacgccc atttgcgtt agcgcaggct gccatcgatc gttttattcg ccttaacccg  
82189 acccatccga atatcgatta tgcgtatgtac atgcgtggcc tgaccaatat ggcgctggat  
82249 gacagtgcgc tgcaagggtt cttggcggtt gaccgtagcg atcgcgatcc tcaacatgca  
82309 cgagctgcgt ttagtgaatt ttccaaactg gtgcgcggct atccaaacag tcagtagacacc  
82369 accgatgcca ccaaacgtct ggtattccctg aaagatcgatc tggcgaaata tgaataactcc  
82429 gtggccgagt actatacaga acgtggcgca tgggtgccc tcgttaaccg cgtagaaggc  
82489 atgttgcgcg actaccggta taccggcgt acgcgtatc cgctgccgct gatgaaaat  
82549 gcataccgtc agatgcagat gaatgcgca gctaaaaag tagcgaaaat catgcggca  
82609 aacagcagca atacataaca gaaacctgaa acacaaaacg gcagcccttg agctgcccgtt  
82669 ttttattct gtcagttgtt aaactgaagc gatttagtca ctatcgatct catcaaataat  
82729 ggctcgctt gagatattcc tcaagtaaaa aaacacctct tcctgcgatt tctcacaaaa  
82789 aagattcggtt gacaaaaagt gacaaaatta tgagattcc atcacacatt ttgacatcag  
82849 gaacggatgt ctgaattcac caagacggga agacaagagg taaaattat gacaatgaac

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June 29, 2004

Date of Deposit

Deborah R. Tsao

Signature

Deborah R. Tsao

Typed or Printed Name of Person Signing Certificate

82909 attaccagca aacaaatgga aattactccg gccatccgcc aacatgtcgc agaccgtctc  
82969 gccaaactgg aaaaatggca aacacatctg attaatccac atatcattct gtccaaagag  
83029 ccacaagggt ttgttgcgtga cgccacaatc aatacaccta acggcggttct ggttgcagt  
83089 ggtaaacatg aagatatgta caccgcaatt aacgaattga tcaacaagct ggaacggcag  
83149 ctcaataaaac tgcagcacaa aggcgaagca cgtcgtgccg caacatcgtt gaaagacgccc  
83209 aacttcgtcg aagaagttga agaagagttag

2. A paper copy and a computer-readable copy of a substitute Sequencing Listing, which contains 81889-83238 of the *E. coli* genome GenBank Accession No. AP002562 (SEQ ID NO: 12), are filed herewith. The contents of both copies are the same. The substitute Sequencing Listing contains no new matter.

3. The sequence of SEQ ID NO: 12 was the version used at the time this application was filed. See “[t]he present invention features *E. coli*-specific primers selected from the nucleotide sequence between 81889 and 83238 of *E. coli* genome (GenBank Accession No. AP002562)” at page 3, lines 3-4 of the Specification. SEQ ID NO: 1 is the same as 82574-82591 of GenBank Accession No. AP002562 (shown above underlined and bold, first sequence), and SEQ ID NO: 2 is complementary to 83069-83052 of GenBank Accession No. AP002562 (shown above underlined and bold, second sequence).

4. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,

Date: 6-29-04

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Y. Rocky Tsao  
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